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P-8349
C. Smith

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION FOR EXEMPTION OF PART LOT CONTROL PROSPERITY HOMES LIMITED. SILVERFOX CRESCENT (PART OF BLOCKS 77 AND 81 IN PLAN 33M-622) MEETING ON AUGUST 22, 2016

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application by Prosperity Homes Limited, to exempt the following lands from Part Lot Control;

- a) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on August 30, 2016 to exempt part of Block 77 in Plan 33M-622 from the Part Lot Control provisions of subsection 50(5) of the Planning Act; and
- b) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on August 30, 2016 to exempt part of Block 81 in Plan 33M-622 from the Part Lot Control provisions of subsection 50(5) of the Planning Act.

ANALYSIS

On June 24, 2014 Municipal Council resolved:

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application by Prosperity Homes Limited, to exempt the following lands from Part Lot Control:

- b) *pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, the proposed by-law, as appended to the staff report dated June 17, 2014, **BE INTRODUCED**, at a future Council meeting, to exempt Block 77, 81 and part of Block 79 in Plan 33M-622 from the Part Lot Control provisions of subsection 50(5) of the said Act; it being pointed out that these lands are subject to registered subdivision agreements and are zoned Residential R4 Special Provision (R4-1(1)) in Zoning By-law No. Z.-1, which permits street townhouse dwellings with a minimum lot frontage of 5.5m per unit and minimum lot area of 210m²;*
- c) *the following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part Lot Control By-law for Block 77, 81 and Part of Block 79 in Plan 33M-622 as noted in clause b), above:*
 - i.) *the applicant submit a draft reference plan to the Building Division for review and approval to ensure the proposed part lots and development plans comply with the*

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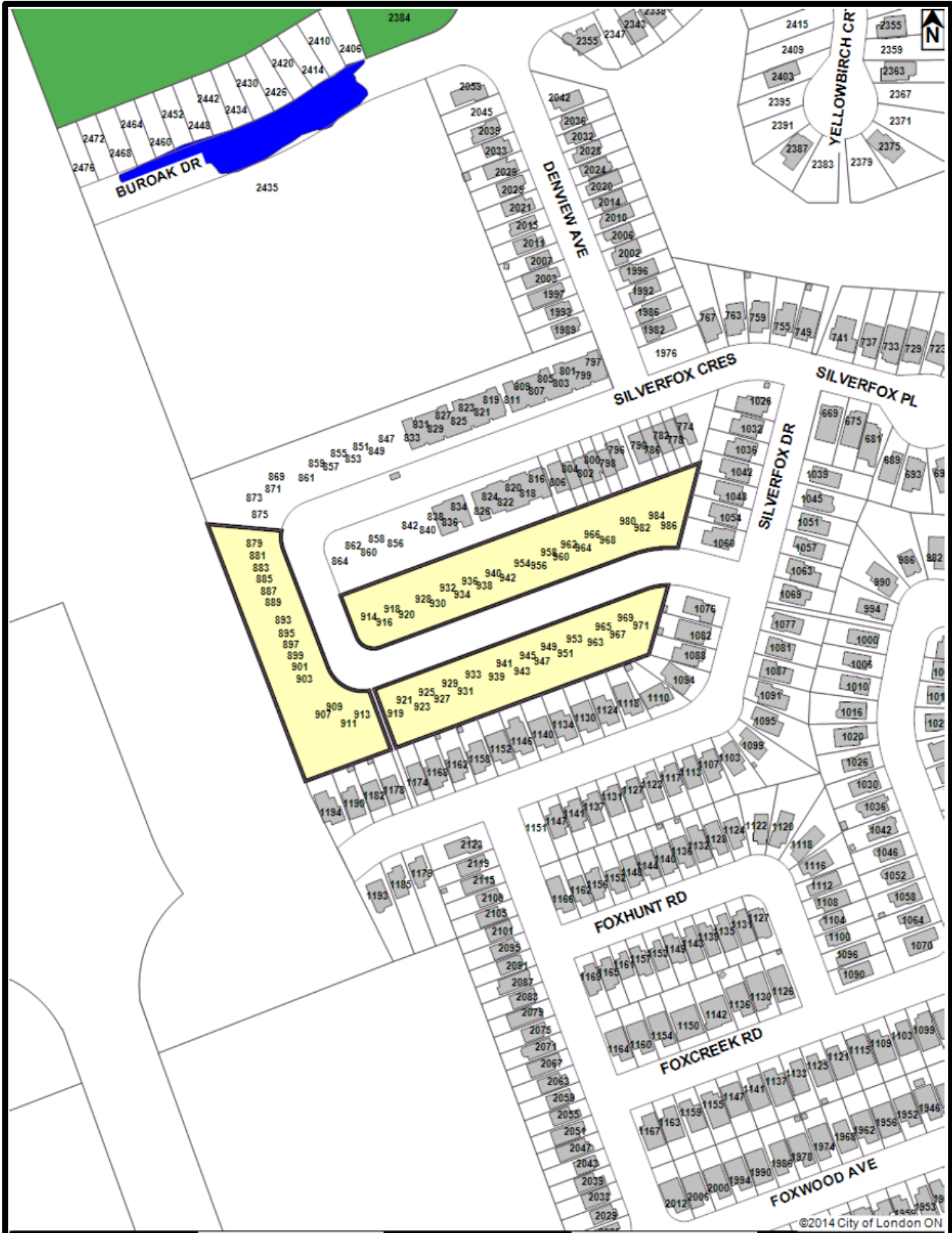
regulations of the Zoning By-law, prior to the reference plan being deposited in the Land Registry Office;

- ii.) prior to the reference plan being deposited in the Land Registry Office, the Applicant submit to Development Services (Engineering), for review, a draft reference plan showing the proposed part lots are consistent with the subdivision servicing, site servicing, site plan, development agreement, subdivision agreement and conditions to the approval of this application;*
 - iii.) the applicant submits to the Development Planning Division a digital copy, together with a hard copy, of each reference plan to be deposited; it being noted that the digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;*
 - iv.) the applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the Land Registry Office;*
 - v.) the applicant shall obtain confirmation from the Development Planning Division that the assignment of municipal numbering has been completed, in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the Land Registry Office;*
 - vi.) the applicant shall submit to the City Engineer and the Director of Development Planning confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office; and,*
 - vii.) the subdivider be required to enter into any amending subdivision agreement with the City, if necessary;*
- d) the applicant **BE ADVISED** that the cost of registration of these by-laws is to be borne by the applicant in accordance with City policy.*

The exemption from the Part Lot Control provisions of the *Planning Act* allows lot lines for individual units (lots) to be established on registered blocks in registered plan of subdivisions. The conditions have been satisfied and the attached recommended by-laws implement Council's June 24, 2016 resolution which will allow the applicant to register the street townhouse lots which permits the lands to be transferred to purchasers.

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<p style="text-align: center;">LOCATION MAP</p> <p>Subject Site: 895 Fanshawe Park Road West Applicant: Prosperity Homes Ltd, File Number: P-8349 Planner: Craig Smith Created By: Jeffrey Shaughnessy Date: 2014-06-03 Scale: 1:2500</p>	<p style="text-align: center;">LEGEND</p> <ul style="list-style-type: none"> Subject Site Parks Assessment Parcels Buildings 123 Address Numbers
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Corporation of the City of London
 Prepared By: Planning and Development

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PREPARED AND RECOMMENDED BY:	REVIEWED BY:
C. SMITH SENIOR PLANNER, DEVELOPMENT SERVICES	ALLISTER MACLEAN MANAGER, DEVELOPMENT PLANNING
REVIEWED BY:	SUBMITTED BY:
TERRY GRAWAY MANAGER, DEVELOPMENT SERVICES & PLANNING LIAISON	G. KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

JCS/
"Attach."

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By-law No. C.P.- *Number inserted by Clerk's Office*

A by-law to exempt from Part Lot Control, lands located on the south side of Silverfox Crescent, at Denview Avenue, legally described as part of Block 77 in Registered Plan 33M-622, more particularly described as Parts 1-9 in Plan 33R-19523 in the City of London and County of Middlesex.

WHEREAS pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, and pursuant to the request from Prosperity Homes Limited, it is expedient to exempt lands located on the south side of Silverfox Crescent, at Denview Avenue, legally described as part of Block 77 in Registered Plan 33M-622, more particularly described as Parts 1-9 in Plan 33R-19523, in the City of London and County of Middlesex, from Part Lot Control;

THEREFORE the Municipal Council of The Corporation of The City of London enacts as follows:

1. Part of Block 77 in Registered Plan 33M-622, more particularly described as Parts 1-9 in Plan 33R-19523, in the City of London and County of Middlesex, located on the south side of Silverfox Crescent, at Denview Avenue, is hereby exempted from Part Lot Control, pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended, for a period not to exceed three (3) years.
2. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on August 30, 2016.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading - August 30, 2016
Second Reading – August 30, 2016
Third Reading - August 30, 2016

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Bill No. *Number inserted by Clerk's Office*
2016

By-law No. C.P.- *Number inserted by Clerk's Office*

A by-law to exempt from Part Lot Control, lands located on the north side of Silverfox Crescent, at Denview Avenue, legally described as part of Block 81 in Registered Plan 33M-622, more particularly described as Parts 1-4 in Plan 33R-19525 in the City of London and County of Middlesex.

WHEREAS pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, and pursuant to the request from Prosperity Homes Limited, it is expedient to exempt lands located on the north side of Silverfox Crescent, at Denview Avenue, legally described as part of Block 81 in Registered Plan 33M-622, more particularly described as Parts 1-4 in Plan 33R-19525, in the City of London and County of Middlesex, from Part Lot Control;

THEREFORE the Municipal Council of The Corporation of The City of London enacts as follows:

1. Part of Block 81 in Registered Plan 33M-622, more particularly described as Parts 1-4 in Plan 33R-19525, in the City of London and County of Middlesex, located on the north side of Silverfox Crescent, at Denview Avenue, is hereby exempted from Part Lot Control, pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended, for a period not to exceed three (3) years.
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PASSED in Open Council on August 30, 2016.

Matt Brown
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City Clerk

First Reading - August 30, 2016
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